



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

**Finance, Economic Development and
Corporate Services Overview and Scrutiny
Committee**

20 July 2021

Report of: Councillor Linda Wootten,

Cabinet Member for Corporate
Governance



Progress on the New Complaints Procedure

This report provides the Committee an update on a new complaints procedure.

Report Author

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Corporate Priority:	Decision type:	Wards:
Administrative	Administrative	All Wards

Reviewed by:	Alan Robinson, Deputy Chief Executive	9 July 2021
Approved by:	Karen Bradford, Chief Executive	13 July 2021
Signed off by:	Councillor Linda Wootten, Cabinet Member for Corporate Governance	13 July 2021

Recommendation (s) to the decision maker (s)

1. Notes the update regarding a new complaints system.
2. Supports progressing the implementation of a two-stage complaints process for the Council which is in line with the handling of housing complaints.
3. Delegates to the Deputy Chief Executive in consultation with the Cabinet Member for Corporate Governance to commence the corporate project and provide regular updates on progress to the Committee.

1 The Background to the Report

1.1 The Council has operated a Customer Feedback Process, Compliments, Comments and Complaints since 2013. Feedback can be provided via completion of a form online, emailing the customer services team, calling the customer service team or submitting written correspondence.

1.2 Current policy

1.3 As a Council we will:

- acknowledge and respond to your feedback within the laid down time limits
- In our acknowledgement, tell you the name of the person or section that will deal with your feedback
- if the investigation results in complexities which mean we can't meet our own timescales we will keep you fully informed
- in our response tell you what we are able to do or what we are not able to do and why
- admit when things go wrong
- learn from your feedback, and share that learning across the organisation
- if this process does not cover your complaint (eg if there is a statutory right of appeal etc) we will advise you the course of action you need to take

1.4 Compliments

1.5 Customers don't always have the time to let us know if they have been particularly pleased with our service so when they do we want to make sure we learn from what we did right and do it more! We will ensure that the positive feedback is shared with the service and if appropriate the individual involved and acknowledge your compliment with a response within 3 working days.

1.6 Comments

These are important because it could help us shape the ways services look or influence decisions we make in the future. We can't guarantee that we can always make the suggested or requested changes, but we will reply in full within 15 working days to explain why a decision or process exists in its current form, what we might do differently or why we won't be able to change things in the future.

1.7 Complaints

1.8 Stage 1

1.9 We are sorry that you feel that a matter is so serious that it needs to be dealt with as a formal complaint. We will acknowledge it within 3 working days, and we will tell you who will be dealing with it – it will usually be the service manager for the department it relates to. They will provide you with a full response within 15 working days or explain why they are unable to and give you an achievable date for you to receive a response by.

1.10 Stage 2

1.11 If you are unhappy with the stage 1 response you have the right to request that it is looked at by a service head, who is not directly linked to the original department the complaint

was about; this is to ensure the review is as objective as possible. This request should be received within 3 months of you receiving your stage 1 response. The service head will review the previous decisions and decide if they were fair and reasonable.

1.12 We will acknowledge your communication within 3 working days. The service head will investigate your complaint and will provide you with a full response within 15 working days or explain why they are unable to and give you an achievable date for you to receive a response by.

1.13 **Stage 3**

1.14 If you still feel our response is unacceptable you can request that it is reviewed by a director. To ensure an objective review the director will not have direct line management responsibility for either the service head or service manager who has already been involved in your complaint. This request should be received within 3 months of you receiving your stage 2 response.

1.15 We will acknowledge your communication within 3 working days. The director will investigate your complaint and will provide you with a full response within 15 working days or explain why they are unable to and give you an achievable date for you to receive a response by.

1.16 **Ombudsman**

1.17 If you are still dissatisfied with the way we have dealt with your complaint, you have the right to ask the Local Government Ombudsman, an independent body, to investigate allegations of maladministration causing an injustice to anybody who has complained.

This means there has been a fault in the way the Council has or has not done something and it has created difficulties for you personally. The Ombudsman does not usually criticise the merits of a decision which has been properly taken simply because someone may disagree with it. They will however look at the way the decision was made.

1.18 **Current status of the Feedback / Complaints process**

1.19 Two officers have been overseeing the corporate complaints process on behalf of all Directorates, this means that any issues raised in respect of the process has been resolved either by the Assistant Director of Legal or the Data Protection Support Officer.

1.20 The corporate complaints process is operated through an existing software provider. All complaints received by any service at the Council should be logged in the system and the customer feedback workflow is activated as follows:

1. The complaint is assigned to the investigating officer and all documents are uploaded to the record.
2. Stage 1 response is sent by email or letter through the existing software provider.
3. At the completion of stage 1 the complaint sits in a pending folder in the system.
4. If it is escalated within the timeframe it moves to stage 2 and the workflow begins again.
5. This repeats again for stage 3.
6. If the complaint is not escalated and the timeframe elapses, the complaint completes and moves from the pending folder.

1.21 Currently reporting is generated from the existing software system. Historically the information extracted from software has been minimal and did not provide detail of root causes or lessons learnt. Customer Services have implemented changes to the software feedback process to add additional elements for officers to complete, this provides greater detail within the extracted report.

1.22 Several areas of improvement have been identified in the table below.

Area	Issue	Risk
1. System	The existing software is a document management system and the customer feedback process within it was a bespoke design in an attempt to use it as a Customer Relationship Management (CRM) tool. This has not worked, because the existing software is not a CRM system. At present the only guaranteed way of ensuring a complaint is processed through the existing software provider is if it comes through the Customer Service Centre. Also, there are no prompts or reminders within this system which leads to much of the process requiring manual intervention and reminders to staff to complete.	Unless all customer feedback is recorded in the same central system then reporting will be inaccurate. It is more likely that the Council committed time frames are not met and subsequently more complaints are escalated to the Local Government Ombudsman (LGO) or Housing Ombudsman (HOmb) due to poor communication and response times.
2. Stage escalation/ lack of records of actions taken at earlier stage(s)	Escalation of complaints through the existing software provider is important as it provides the history of a complaint. Without this history an independent review becomes quite difficult. Officers do not or do not know how to escalate complaints through the system to stage 2 or 3.	Without the complaint history an independent officer at stage 2 and stage 3 will struggle to complete a review of the complaint response(s).
3. Training / taking ownership	It has been identified that training is required across the organisation in respect of complaint handling. There are a number of new employees and staff that have moved to management positions who are now responsible for stage 2 and 3 complaints. Also, there are a number of staff that do not have access to the existing software	All staff should know the Council customer feedback process, it is the mechanism that the Council gives residents in the district a method to be heard, whether that is a complaint, comment or compliment.

	<p>system or who require additional training as they are infrequent users of the system.</p> <p>In terms of ownership, the system does not encourage ownership, it assigns responsibility but there is no accountability. This needs to become embedded in Directorates.</p>	<p>Specific to complaints handling, if officers are not trained and supported to respond to complaints using the corporate approach, then inconsistencies will occur and we may see an increase of complaints reaching LGO and Homb level.</p> <p>Responsibility and accountability need to be owned, in absence of this the process timeframes are not met, causing complaints to move to stage 2 and 3.</p>
<p>4. Reporting</p>	<p>Customer feedback and Complaint reporting has been challenging for a number of reasons:</p> <ul style="list-style-type: none"> - Data to understand the nature of the feedback provided - Historical reporting was solely on number of feedback / complaints received - Since the move to PowerBI reporting has also included service area and quarterly (time period) comparisons - To date, reasons for complaints, root causes, lessons learnt, time frame to deal with complaints at each stage have not been effectively established - Existing software system is not a complaint handling system and the absence of using the system corporately makes it more difficult to report on complete data - There does not appear to be a corporate approach across the organisation to feedback and complaint handling, which means 	<p>Without reporting it will be difficult to improve service delivery and build a good reputation in the district.</p> <p>No ability to share across the organisation root causes for complaints and lessons learnt.</p> <p>Staff are not adequately trained to effectively process feedback and complaints.</p> <p>Streetscene 'calls for service' are all logged as complaints, this is an example of mislogging of complaints, leading to inaccurate reporting.</p> <p>Customer Services have manually intervened to improve the reporting but the data emerging from</p>

	the reporting is not accurate and therefore not effective.	the existing software provider is not coherent or understandable.
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1.23 **Housing and feedback review**

1.24 The Housing service have been required to design and implement a Housing specific complaints process. The Housing Ombudsman complaint code was issued to Council's last year. The self- assessment was to be completed by December 2020 and the updated complaint procedure was to be implemented by April/May 2021. The code details how complaints should be handled and the structure of the complaints process, this includes the timeframes and the stages to follow.

1.25 A review has been conducted of the corporate customer feedback process to align it with the requirements that the Housing service follow. This includes reducing the number of stages from 3 to 2 and reducing the response time frames. Housing's new complaints policy was presented to Cabinet on the 13 July 2021. The link to the documentation is in the background papers in section 9. This is now creating a 2 tier complaints system which is not ideal.

1.26 It is important that the Council has one complaints process for all services and that we remain one organisation in the policies and processes that we follow. The customer feedback review is in the first draft, in addition to this we are also preparing an appendix to specifically address vexatious complainants. This is a requirement for the Council if the organisation wants to pursue legal action against vexatious complainants and provides employees with the information required to deal with this type of complainant.

2 Consultation and Feedback Received, Including Overview and Scrutiny

2.1 The indicative timeline for implementation if approved by the Finance, Economic Development and Corporate Services Overview and Scrutiny Committee would be:

- 20 July 2021: Finance, Economic Development and Corporate Services Overview and Scrutiny Committee – review the progress and approving for the project commencing to Project Initiation stage (draft Project Initiation Document appendix 1).
- Aug - Oct 2021 an internal project led by the Deputy Chief Executive as Project Sponsor will meet to progress the complaints procedures.
- 23 November 2021: Finance, Economic Development and Corporate Services Overview and Scrutiny Committee – review progress on implementation.

3 Financial Implications

The Council currently manages it's complaints using a third party software provider. The licence to use this software is included in a corporate licence that is an annual cost. Any variations to this current arrangement may incur additional software licence costs if there is any proposal to introduce a new complaint monitoring software.

Financial Implications reviewed by: Richard Wyles, Interim Director of Finance

4 Legal and Governance Implications

- 4.1 As there are proposed changes to legislation and the introduction of a new housing Complaint Handling Code, it is now a requirement (and not best practice), to handle housing complaints and feedback in accordance with the Code.
- 4.2 From a governance point of view, although there has been no change in legislation regarding how the Council deals with corporate customer feedback, for best practice, it would be appropriate that corporate customer complaints are dealt with in the same response timeframes and the current three stages of the complaints procedure reduced to two stages, in line with the housing complaints procedure.

Legal Implications reviewed by: Mandy Braithwaite, Legal Executive

5 Equality and Safeguarding Implications

- 5.1 The Council will support customers in submitting feedback, where requested, to ensure no one is unable to provide feedback (e.g. due to language or disability issues). We will monitor all feedback to ensure our approach is fair and accessible to all customers. An Equalities Impact Assessment will be undertaken as part of the project initiation.

6 Risk and Mitigation

- 6.1 The risks are identified in table 1.21. Mitigation measures include the implementation of a new system, full training for all officers to fully understand the process and ownership from Directorates.

7 Community Safety Implications

- 7.1 No significant implications have been identified.

8 How will the recommendations support South Kesteven District Council's declaration of a climate emergency?

- 8.1 The contents of this report do not have a direct impact on the council's carbon emissions or the carbon emissions of the wider district. More detailed information on carbon impact of individual projects or activities are outlined within the relevant project documentation or service plans.

9 Background Papers

- 9.1 Agenda and background reports on Housing Feedback and Policy Changes
<http://moderngov.southkesteven.gov.uk/ieListDocuments.aspx?CId=164&MId=4115&Ver=4>
- 9.2 Agenda and action notes from the Finance, Economic Development and Corporate Services Overview and Scrutiny Committee meeting held on 29th June 2021.

10 Appendices

- 10.1 Appendix 1 – Draft Project Initiation Document

Report Timeline:	Previously Considered by: Finance, Economic Development and Corporate Services Overview and Scrutiny Committee	29 June 2021
	Final Decision date	23 November 2021